

**Town and Country Planning Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

To: Mr M Else  
c/o Cheryl Ward Planning  
fao: Cheryl Farrow  
24 Westfield Mews  
Kirkbymoorside  
York  
YO62 6BA

The above named Authority being the Planning Authority for the purposes of your application validated 15 May 2023, in respect of proposed development for the purposes of **use of agricultural workers dwelling as a holiday let for a temporary period of 10 years.** at **Island Farm House, Island Farm, Staintondale** has considered your application and has **granted** permission for the proposed development subject to the following:

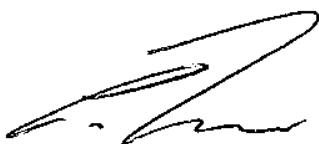
**Condition(s):**

1. When the property known as Island House ceases to be owned by Mr Matthew Else or ten years from the date of this permission (whichever occurs first) the use hereby permitted shall cease.
2. The occupation of the dwelling known as Island Farm House shall be limited to either a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower or surviving civil partner of such a person, and to any resident dependants  
or  
as a holiday letting unit.  
For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.

**Informative(s)**

1. Water supply: We have been advised that the proposed use is connected to mains water supply. If this is not the case and you are to use a private water supply (such as a bore hole, spring or well) you must register with this [Local Authority](#).
2. Waste collection: As a commercial operator of holiday lets, you do not qualify for the domestic waste collection. You must use the services of a waste collection provider and keep waste transfer notes of that supplier for a period of two years. Please visit the [Gov.UK website](#).

Continued/Reason(s) for Condition(s)



Mr C M France  
Director of Planning

Date 31 January 2024

Please Note your Rights of Appeal are attached to this Decision Notice

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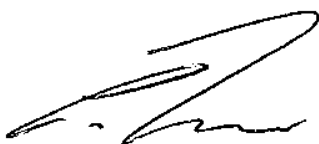
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**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended, and as no evidence has been submitted to demonstrate there will not be a future need for this dwelling to serve the needs of local agriculture in accordance with Policy CO16, and that the proposal has been approved in response to the applicants very specific personal agricultural requirements.
2. The original dwelling was only granted as evidence had been provided that it was essential to the needs of local agriculture. No evidence has been submitted to suggest there is no longer a need in the locality, as required by Policy CO16 of the Local Plan.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including amending request for permanent change of use to a temporary period, so as to deliver sustainable development.



Mr C M France  
Director of Planning

Date 31 January 2024

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## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
  - a) refuse an application for planning permission or grant it subject to conditions;
  - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
  - c) refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

**Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.